

REMARKS

The Examiner has objected to claims 1. In addition, the Examiner has rejected claims 1 through 4, 9 through 15, 20 through 26, 31 through 37 and 42 through 44 under 35 U.S.C. §103(a) as allegedly being obvious over Martin, Stevenson, Kanakubo and Muraiyama. In view of the above amendments and the following remarks, the Applicant respectfully requests the Examiner to reconsider the pending objections and rejections.

The Claim Objection

The Examiner has objected to claims 1. In view of the above cancellation of independent claim 1, the objection has become moot. Newly added independent claims 45, 46 and 47 and newly amended independent claim 34 still contain the negative conditions as follows:

“the corresponding abnormal condition removal information or the power activation report has not been received within a first predetermined amount of time t1 since the reception of the abnormal condition information at the management apparatus” and

“the corresponding abnormal condition removal information has not been received from the originating managed apparatus within a second predetermined amount of time t2 since the reception of the power activation report at the management apparatus.”

The above negative conditions are explicitly recited as subject matter limitations for the pending independent claims as contrasted to the positive conditions in these claims. Although the undersigned believes that these negative conditions are also grammatically correct, if the Examiner disagrees, the undersigned

respectfully requests the Examiner to propose Examiner's amendment via telephone. Thus, the Applicant respectfully submits to the Examiner that the pending claim objection should be withdrawn.

The Section 103 Rejections

The Examiner has rejected claims 1 through 4, 9 through 15, 20 through 26, 31 through 37 and 42 through 44 under 35 U.S.C. §103(a) as allegedly being obvious over Martin, Stevenson, Kanakubo and Muraiyama.

Independent claims 1, 12 and 23 have been cancelled, and independent claims 45, 46 and 47 have been newly added in the current amendment response as indicated above. Consequently, most of the remaining dependent claims have been amended to depend from the newly added independent claims.

Newly added independent claims 45, 46 and 47 are supported by the original disclosure of the current application, and no new matter has been introduced to the current application. Thus, the Applicant respectfully submit to the Examiner to enter these new independent claims.

Effectively, since newly added independent claims 45, 46 and 47 have respectively replaced the cancelled independent claims, the pending 103 rejections will be discussed with respect to the newly added independent claims.

With respect to rejected independent claims 1, 12, 23 and 34, the Examiner has alleged that the Martin et al. reference discloses substantially every aspect of the subject matter limitations although three other references have been combined in the same rejections. Although the Applicant does not necessarily agree with the Examiner's rejection basis, the Applicant respectfully requests the Examiner to reconsider the

pending rejections in view of the patentable features to the newly added independent claims.

Newly added independent claims 45 and 46 now each explicitly recite “notifying the received abnormal condition information to an operator of the management apparatus if : 1) either the corresponding abnormal condition removal information or the power activation report has not been received within a first predetermined amount of time t_1 since the reception of the abnormal condition information at the management apparatus, OR 2) the power activation report has been received within the first predetermined amount of time t_1 since the reception of the abnormal condition information at the management apparatus, but the corresponding abnormal condition removal information has not been received from the originating managed apparatus within a second predetermined amount of time t_2 since the reception of the power activation report at the management apparatus, wherein the received abnormal condition information will not be notified to the operator of the management apparatus if : A) the corresponding abnormal condition removal information has been received within a first predetermined amount of time t_1 since the reception of the abnormal condition information at the management apparatus, OR B) the power activation report has been received within the first predetermined amount of time t_1 since the reception of the abnormal condition information at the management apparatus, and the corresponding abnormal condition removal information has been received from the originating managed apparatus within the second predetermined amount of time t_2 since the reception of the power activation report at the management apparatus.”

Similarly, newly added independent claim 47 now each explicitly recites “wherein the received abnormal condition information will be notified to an operator of the management apparatus if : 1) either the corresponding abnormal condition removal information or the power activation report has not been received within a first predetermined amount of time t_1 since the reception of the abnormal condition

information at the management apparatus, OR 2) the power activation report has been received within the first predetermined amount of time t1 since the reception of the abnormal condition information at the management apparatus, but the corresponding abnormal condition removal information has not been received from the originating managed apparatus within a second predetermined amount of time t2 since the reception of the power activation report at the management apparatus, wherein the received abnormal condition information will not be notified to the operator of the management apparatus if : A) the corresponding abnormal condition removal information has been received within a first predetermined amount of time t1 since the reception of the abnormal condition information at the management apparatus, OR B) the power activation report has been received within the first predetermined amount of time t1 since the reception of the abnormal condition information at the management apparatus, and the corresponding abnormal condition removal information has been received from the originating managed apparatus within the second predetermined amount of time t2 since the reception of the power activation report at the management apparatus.”

Lastly, newly amended independent claim 34 also explicitly recites “an abnormal condition notifying unit connected to said abnormal condition removal determination unit for notifying a center operator of the abnormal condition information when 1) either the corresponding abnormal condition removal information or the power activation report has not been received within a first predetermined amount of time t1 since the reception of the abnormal condition information at the management apparatus, OR 2) the power activation report has been received within the first predetermined amount of time t1 since the reception of the abnormal condition information at the management apparatus, but the corresponding abnormal condition removal information has not been received from the originating managed apparatus within a second predetermined amount of time t2 since the reception of the power activation report at the management apparatus, wherein said abnormal condition notifying unit will not notify the center operator of the abnormal condition information if : A) the corresponding abnormal condition removal information

has been received within a first predetermined amount of time t1 since the reception of the abnormal condition information at the management apparatus, OR B) the power activation report has been received within the first predetermined amount of time t1 since the reception of the abnormal condition information at the management apparatus, and the corresponding abnormal condition removal information has been received from the originating managed apparatus within the second predetermined amount of time t2 since the reception of the power activation report at the management apparatus.”

The Examiner has pointed out lines 49 through 67 in column 9 and lines 1 through 50 in column 10 of the Martin et al. reference for allegedly disclosing the subject matter of the independent claims. The Examiner has described some of the allegations with respect to the notification function of the current invention on pages 6 and 7 of the Office Action. In this regard, the Examiner has stated that the Martin reference discloses a first event E to activate a first timer and a second event E' to stop the first timer while the second event also restart a second timer. Although the Examiner attempted to explain the above relationship between the timers and the events of the Martin reference, the disclosed relationship of the Martin reference is irrelevant to the claimed notification feature of newly added independent claims 45 through 47 and newly amended independent claim 34.

As quoted above, independent claims 34 and 45 through 47 calls for two situations wherein a notification of the abnormal condition is provided to an operator under a certain first set of specific conditions while the same notification of the abnormal condition is not notified to an operator under a certain second set of specific conditions. Although two time periods are used in relation to the specific conditions, the above quoted patentable features of the independent claims are no longer limited to the lack of the notification.

Even if the cited prior art references are combined as the Examiner has proposed, the combined disclosure still fails to teach, disclose or suggest the above quoted patentable feature of the current invention. As explicitly recited in independent claims 34, 45, 46 and 47, a notification is provided under a first set of conditions while a notification is not provided under a second set of conditions. Since these two sets of specific conditions are not taught, disclosed or suggested by the cited prior art references alone or combination, it would not have been obvious to one of ordinary skill in the art to provide the above patentable features as explicitly recited in independent claims 34, 45, 46 and 47 based upon the cited references.

Dependent claims 2 through 4, 9 through 11, 13 through 15, 20 through 22, 24 through 26, 31 through 33, 35 through 37 and 42 through 44 ultimately depend from newly amended independent claim 45, 46, 47 or 34 and incorporate the above discussed patentable features of the current invention. Based upon the above reasons, the Applicant respectfully submits to the Examiner that the pending section 103 rejections should be withdrawn.

CONCLUSION

In view of the above amendments and the foregoing remarks, Applicant respectfully submits that all of the pending claims are in condition for allowance and respectfully request a favorable Office Action so indicating.

Respectfully submitted,

/KEN I. YOSHIDA/

Ken I. Yoshida, Esq.

Reg. No. 37,009

Date: September 9, 2008

KNOBLE YOSHIDA & DUNLEAVY LLC
Customer No. 21302
Eight Penn Center, Suite 1350
1628 John F. Kennedy Blvd.
Philadelphia, PA 19103
(215) 599-0600